

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Supervising Deputy Clerk.

F033591 People v. Ramirez

Cause called and argued by Harry M. Drandell, Esq., counsel for appellant and by Leah Ann Alcazar, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Thaxter, J. and Buckley, J. leave the bench; they are replaced by Vartabedian, J. and Wiseman, J.

F033080 People v. Ruiz

Cause called and argued by David S. Adams, Esq., Deputy State Public Defender, counsel for appellant. Michelle West, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Dibiaso, J. and Wiseman, J. leave the bench, they are replaced by Buckley, J. and Levy, J.

F036195 In re David A., a Minor

Cause called and argued by Carol Koenig, Esq., counsel for appellant. Carrie Stephens, Deputy County Counsel, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, March 9, 2001 at 10:00 A.M.

F034942 People v. Turpin

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F034472 People v. Davis

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F033853 People v. Crossdale

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F033417 People v. Morris

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F031874 People v. Elmer B.

For the reasons stated, the judgment is reversed as to counts I and II. In all other respects the judgment of guilt is affirmed. The case is remanded for resentencing consistent with this order. Ardaiz, P.J.

We concur: Dibiaso, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032596 People v. Ayala, Jr.

The matter is remanded for resentencing. In all other respects the judgment is affirmed. Vartabedian, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034289 People v. Helm

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035139 People v. Adkins

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032999 People v. Davis

The judgment is affirmed. Buckley, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037248 People v. Magana

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F035281 People v. Cruz

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034178 People v. Jamison

The judgment is reversed to the extent it is based on a finding that Jamison suffered a prior serious felony conviction. The People shall have 30 days after remittitur is filed to give notice of intent to seek retrial of the prior serious felony allegation. If the People give such notice, the court shall conduct further proceedings in accordance with this opinion. If the People fail to give such notice, the court shall resentence Jamison. Jamison's conviction for receiving a stolen automobile and the true finding on the prior prison term enhancement are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034252 People v. Musgrave

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F034662 People v. Gibson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.